



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/527,646  
Applicant : Robert NITSCH et al  
Filed : June 28, 2005  
TC/A.U. : 1652  
Examiner : Iqbal Hossain Chowdhury

Docket No. : 2958-131  
Customer No. : 6449  
Confirmation No.: 1021

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 30, 2005

Dear Sir:

In response to the Restriction Requirement mailed on December 1, 2005, the applicants hereby elect Group I, namely claims 1-2 and 21, drawn to an isolated polypeptide lipid phosphate phosphatase (LPP).

In response to the Examiner's further restriction requirement, the applicants provisionally select Group (A), the protein of SEQ ID No. 1 or a nucleic acid encoding SEQ ID NO. 1.

The applicants are unable to traverse this restriction requirement, as the Examiner did not explain why further restriction between Groups A-L was required, and without knowledge of the Examiner's position, the applicants are not in a position to file a meaningful traverse. The Examiner is requested to reconsider this second restriction requirement accordingly. Should the Examiner intend to maintain

the second restriction requirement, then clarification of the reasons why restriction is required is requested.

Early and favorable action on the merits is awaited.

Respectfully submitted,

By



Robert B. Murray  
Attorney for Applicant  
Registration No. 22,980  
ROTHWELL, FIGG, ERNST & MANBECK  
1425 K. Street, Suite 800  
Washington, D.C. 20005  
Telephone: (202) 783-6040

RBM/cb